

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Griffin Cascone,)	
)	
Plaintiff,)	
)	Civil Action No. 8:24-cv-4665-BHH
v.)	
)	
Anre Williams,)	<u>ORDER</u>
)	
Defendant.)	
)	

This matter is before the Court upon Plaintiff Griffin Cascone’s pro se complaint. (ECF No. 1.) In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., the matter was referred to a United States Magistrate Judge for preliminary review.

On October 25, 2024, the Magistrate Judge issued a report and recommendation (“Report”), outlining the allegations of Plaintiff’s complaint and recommending that the Court summarily dismiss this matter as frivolous. (ECF No. 10.) In the Report, the Magistrate Judge explained that Plaintiff’s claims appear to be based on a fundamental misunderstanding of the operation of a credit card, and the Magistrate Judge determined that Plaintiff cannot cure the defects in his complaint by amending it. Accordingly, the Magistrate Judge recommended that the Court dismiss this action with prejudice, without leave to amend, and without issuance and service of process. *See Britt v. DeJoy*, 45 F.4th 790, 791 (4th Cir. 2022) (noting that “when a district court dismisses a complaint or all claims without providing leave to amend . . . the order dismissing the complaint is final and appealable”). The Magistrate Judge also suggested that the Court warn Plaintiff regarding the potential entry of sanctions in the future if Plaintiff continues to file frivolous litigation.

Attached to the Magistrate Judge's Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

Here, because no objections to the Report have been filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge's analysis. **Accordingly, the Court hereby adopts and incorporates the Magistrate Judge's Report (ECF No. 10), and the Court summarily dismisses this action with prejudice, without leave to amend, and without issuance and service of process.** The Court also warns Plaintiff of the potential for future sanctions if he continues

to file frivolous litigation.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

November 19, 2024
Charleston, South Carolina